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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,482	02/05/2004	Yibei Ling	APP 1484	4980

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EXAMINER

ZEWDU, MELESS NMN

ART UNIT PAPER NUMBER

2617

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/772,482	LING ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Meless N. Zewdu	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 6, 12 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6, 12 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the communication filed on 3/9/06.
2. Claims 1-5, 7-11 and 13-19 are cancelled.
3. Claims 6, 12 and 20 are pending in this action.

The indicated allowability of claims 6, 12 and 20 is withdrawn in view of the newly discovered reference(s) to Harvey, Oh and Belkin (see detailed action below).

Rejections based on the newly cited reference(s) follow. Examiner apologizes for backtracking the prosecution.

### ***Specification***

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. In the remarks section of the response filed on September 30, 2005, and in the "Amendments to the specification" of march 9 2006, applicant has included [www.yahoo.com](http://www.yahoo.com), (see page 6) in the amendment to the specification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gao et al. (Gao) (US 2004/0067754 A1) in view of Harvey et al. (Harvey) (US 2004/0133563 A1).

**As per claim 6:** Gao teaches about a user device (fig. 2, element 120) operating in a heterogeneous wireless network environment (see abstract);

means for determining that said user device is in an area of overlap by different networks within said environment (see fig. 2; paragraph 0027);

means for handing off said user device (abstract) from said first network to said second network (see fig. 2, cells 212). But, Gao does not explicitly teach about a proxy, for use with a user device, comprising means to tack an ongoing session with said user device, wherein said session is a HTTP session, as claimed by applicant. However, in a related field of endeavor, Harvey teaches about a method of a proxy (see paragraph 0004), for use with a user device (see paragraph 0026), comprising means to tack an ongoing session with said user device , wherein said session is a HTTP session ((see paragraph 0009). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Gao with the teaching

of Harvey for the advantage of avoiding/preventing the use of “cookies” for maintaining a state needed for a Web site (see paragraph 0003).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gao et al. (Gao) (US 2004/0067754 A1) in view of Harvey et al. (Harvey) (US 2004/0133563 A1) and further in view of (Oh et al. (Oh) (US 6,714,789 B1).

**As per claim 12:** some of the features of claim 12 are similar to the features of claim 6. Hence, similar features of claim 12 are rejected on the same ground and motivation as claim 6. Exception is the feature, “determining by said user device that said user device is in an area where said first network and said second network overlap”, as claimed by applicant. However, in a related field of endeavor, Oh teaches that it is well known for a mobile station (user device) to determine its own location using a GPS device (see col. 3, lines 26-39; col. 8, line 61-col. 9, line 17). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Oh since doing so is well known in the art.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gao et al. (Gao) (US 2004/0067754 A1) in view of Harvey et al. (Harvey) (US 2004/0133563 A1) and further in view of Belkin et al. (Belkin) (US 2005/0070288 A1).

**As per claim 20:** some of the features of claim 20 are similar to the features of claim 6. Hence, features of claim 20 that are similar to the features of claim 6 are rejected on the same ground and motivation as claim 6. Different features are – a proxy interposed between a web browser and the heterogeneous wireless network environment and an information gateway interposed between the heterogeneous wireless network

environment and the web server, which are not explicitly taught by the above references. However, in a related field of endeavor, Belkin teaches about a handover method and apparatus including an architecture comprising a proxy interposed between a wireless browser (fig. 1, element 102) and a heterogeneous network (fig. 1, elements 106 and 108) and a gateway (fig. 1, MGC) interposed between the heterogeneous wireless network environment (see fig. 1, elements 106 and 108) and the web server (see fig. 1, element 110 ; paragraph 0002). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Belkin for the advantage of supporting seamless handovers or handoffs between a first and a second communication network (see paragraph 0015). Furthermore, claim 20 is directed to a system for performing the method steps of claims 6 and 12. Hence, claim 20 is rejected on the same grounds and motivations as claims 6 and 12 since the system of claim 20 is required to perform the method steps of claims 6 and 12.

### ***Response to Arguments***

Applicant's arguments with respect to claims 6, 12 and 20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

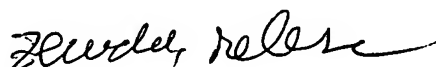
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold, Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2683

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu

A handwritten signature in cursive script, appearing to read 'Zewdu Meless'.

Examiner

27 March 2006.